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BARON'S 'THE JEWISH QUESTION AT THE CONGRESS OF VIENNA' ¹

EFFORTS to secure Jewish rights through international congresses of the powers have naturally brought into prominence recently the deliberations connected with the earliest of the conferences at which the Jewish question was considered, that of Vienna in 1814-15, which had almost wholly escaped attention on the part of Jewish historians until the last few years. Accordingly, in the scholarly, able, and interesting booklet before us we find over 200 pages devoted to a theme which was wholly ignored in the *Jewish Encyclopedia*, and to which Graetz, Jost, and Philippson devoted only a few lines. Numerous citations fortify every statement in the text.

In the main, Dr. Baron reaches almost identically the same conclusions formulated two years earlier in M. J. Kohler's 'Jewish Rights at the Congresses of Vienna and Aix-la-Chapelle' (printed in vol. 26 of the *Publications of the American Jewish Historical Society*, and separate booklet reprint, 1918), and almost identical quotations and dozens of the same citations are to be found in both works, though Dr. Baron does not seem to have utilized that writer's work, probably by reason of the war. Dr. Baron has had access, however, to some contemporary manuscript material in the Vienna archives and elsewhere, which clears up a few controverted points. Chief of these is the famous eleventh hour modification of the Jewish rights clause to the detriment of the Jews, by the substitution—in the passage safeguarding

¹ *Die Judenfrage auf dem Wiener Kongress*. Auf Grund von zum Teil ungedruckten Quellen dargestellt von SALO BARON. Herausgegeben mit Unterstützung der historischen Kommission der Israelitischen Kultusgemeinde in Wien. R. LOWIT VERLAG. Vienna and Berlin, 1920. pp. 211.

Jewish amelioratory provisions secured during the Napoleonic period—of the words ‘*by* the several (German) states’, for ‘*in* the several states’, which thereafter was availed of as an argument for disregarding emancipatory provisions adopted by revolutionary governments under French influence. Dr. Baron—like the writer hereof—shows that Graetz’s charge is utterly unfounded that Gentz, the Secretary of the Congress, had apparently surreptitiously falsified the protocol in the pay of anti-Semities by inserting this modification in accord with an apocryphal earlier resolution of the congress. He shows (p. 202) that Gentz did not even keep the minutes of the Committee on German Affairs at which this change was made, but that the publicist Martens was the secretary of that Committee, and that Gentz at the Congress was, in fact, pro-Jewish. The original minutes of the Conference of the earlier date (preserved in the Vienna archives), moreover, do in fact contain a marginal annotation, substituting the German word *von* for *in* (p. 167), and show that the Conference’s declaration in favour of the principle that the pro-Jewish determinations in the 32nd Military Division (which included Hamburg, Bremen, and Lübeck) were not thereby to be continued, was then already determined upon as intended to be expressed by such proposed modification. If this concession be made, it is difficult, however, to accept Dr. Baron’s view that comprehensive terms in the Treaty, intended to except the revolutionary governments of the Hanseatic cities, were to be restricted to those places, on account of this latent intention, and not to be applied to other revolutionary governments, meantime unseated. The mystery becomes all the greater that Prince Metternich and Prince Hardenberg, immediately after the Congress, nevertheless construed the terms of the Treaty most favourably to the Jews, not merely in their application to Frankfort-on-the-Main, but also with respect to the Hansa towns of the 32nd Military District, regardless of this change. They either were unfamiliar with the change designedly made by the Conference, or sought to deliberately disregard it by exerting their full influence in favour of Jewish emancipation nevertheless.

Dr. Baron unduly minimizes the terms employed in their striking letters. He also (p. 191) was able to locate in the semi-official Austrian newspaper *Beobachter* of Dec. 12, 1816, the text of the joint protest of Austria, Prussia, Russia, and England of Nov. 6, 1816, against Frankfort's disregard of the Jewish clauses of the Treaty; the present writer in vain sought the full text thereof in the British archives. But our author unjustly chides the Jews of Frankfort and their advocates for seeking to take advantage of their special grants and privileges, instead of merely making common cause with the Jews of Germany in general, whom Dr. Buchholz championed so ably. Dr. Baron, as well as the present writer, regards Wilhelm von Humboldt and Prince Hardenberg as the leading champions of Jewish rights at the Congress, but does not do sufficient justice to the efforts of Metternich and Gentz. In fact, Dr. Baron has discovered a heretofore unknown protocol of a secret conference of May 28, 1815, reading 'Prussia has announced that she will not yield with respect to the Jews' (p. 160). But he seems to have overlooked significant entries in Gentz's diary and correspondence, which the writer hereof cited in his work, emphasizing Gentz's services to the Jews on this occasion, and probably because of Gentz's custom of accepting presents, failed to do justice to his career, as was so well done by W. Allison Phillips in his brief sketch of him in the *Britannica*.

As concerns the under-estimate of Metternich's services, this seems all the stranger in the light of the interesting petition to him which Dr. Baron unearthed in the Austrian archives, signed by Arnstein, Eskeles, Herz, Lämél, and Auspitz (pp. 141-5, compare 148, 170-1), the five most distinguished Jews of Austria, of each of whom he gives interesting character studies. He would, moreover, have greatly strengthened the argument in favour of the value of the Congress's action as a precedent for Jewish emancipation, had he coupled with it the incorporated provisions (sanctioned by all the leading figures of the Congress) in connexion with the union of Holland and Belgium, which accorded absolute religious liberty, and equality of civil and political rights,

to the Jews of those states, in common with those professing all other creeds; see as to this, the present writer's above-cited work and a reference to the incident in Clémenceau's famous letter to the Premier of Poland, dated June 24, 1919. Similarly, emphasis on the use of the Treaty of Vienna provisions in favour of the German Jews as precedents in England in the struggle for Jewish emancipation there, as also by Gabriel Riesser in Germany later on, would have rendered this interesting and valuable work still more comprehensive. The fact remains, however, that the services of the Congress to Jewish emancipation consist, far more, in the public and notable arguments in favour of such equality of rights, advanced by its leading spirits, and its declaration of a general principle, than in what was actually reduced to legal formulas, as a result of compromises which enlightened fore-runners of their times were compelled to submit to, in order to gain the adherence of the illiberal majority of delegates representing more benighted, petty, states.

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